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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

06/20/01



Pat No. A-66914-2/RFT/BTC/AMS

Anticipated Classification of this Application:

Class: Subclass:

Prior Application 09/373,347

Examiner: Y. B. Loeb

Art Unit: 1636

"EXPRESS MAIL" MAILING LABEL

NUMBER EL758643351US

DATE OF DEPOSIT June 20, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Barryl Kriner

SIGNED

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☒ Continuation
☐ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

David ZARLING (Menlo Park, CA); Gurucharan REDDY (Fremont, CA); Sushma PATI (Woodside, CA)
(Names of ALL Applicants)

for DOMAIN SPECIFIC GENE EVOLUTION
(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial Nos. 09/373,347, filed on August 12, 1999; 09/133,934 filed on August 12, 1998; and 60/096,330 filed on August 12, 1998.

1. (a) ☐ Enclosed is a new application.
- (b) ☐ Enclosed is a continuation-in-part application.
- (c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
- (b) ☐ Enclosed is a copy of the prior Declaration as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
- (b) ☐ A Small Entity Affidavit is of record in the prior application.
4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355		\$690
TOTAL CLAIMS	1 - 20 =	0	x 9 =	\$	x 18 =	\$
INDEP CLAIMS	1 - 3 =	0	x 40 =	\$	x 80 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED	yes	no	+135 =	\$	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$355	TOTAL	\$

5. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-66914-2/RFT/BTC/AMS).

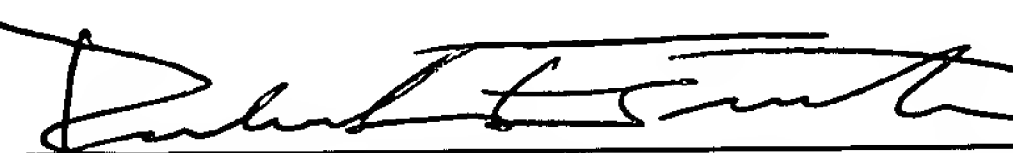


6. ☐ Our check No. _____ in amount of \$ _____ is enclosed.
☒ The filing fee is **NOT** being submitted with this transmittal letter.
7. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☐ Amend the specification by inserting before the first line the sentence:
 --This is a ☐ continuation ☐ divisional ☐ continuation-in-part
 of application Serial No. _____ filed _____.
9. (a) ☒ Informal drawings are enclosed (4 Sheets)
 (b) ☐ Formal drawings are enclosed.
10. (a) ☒ Priority of application Serial No. Serial Nos. 09/373,347, filed on August 12, 1999; 09/133,934 filed on August 14, 1998; and 60/096,330 filed on August 12, 1998, all in the United States of America is claimed under 35 U.S.C. 119/120.
 (b) ☐ The certified copy has been filed in prior application Serial No. _____ filed on _____.
11. ☒ The prior application is assigned of record to Pangene Corporation
12. ☒ The power of attorney in the prior application is to:
 Name: Richard F. Trecartin, Esq.
 Address: FLEHR HOHBACH TEST
 ALBRITTON & HERBERT LLP
 Four Embarcadero, Suite 2400
 San Francisco, CA 94111
- (a) ☒ The power appears in the original papers in the prior application.
 (b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
 (c) ☐ A new power has been executed and is enclosed.
 (d) ☒ Address all future communications to:
 RICHARD F. TRECARTIN, ESQ.
 FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
 Four Embarcadero Center - Suite 3400
 San Francisco, California 94111-4187
 Tel.: (415) 781-1989
 Fax: (415) 398-3249
13. ☒ An Amendment Re Sequence Listing, paper copy of Sequence Listing, and computer readable disk copy of Sequence Listing is enclosed.
14. ☒ A Petition for Extension of Time in response to the December 20, 2000, Office Action in the parent application, Serial No. 09/373,347, and a check for the fee for the Extension in the amount of \$890.00 is being filed concurrently.
15. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/373,347 as originally filed on August 12, 1999.

Date:

6/20/01

Signature:



Richard F. Trecartin, Esq., Reg. No. 31,801

Address of Signer:

FLEHR HOHBACH TEST
 ALBRITTON & HERBERT LLP
 4 Embarcadero Center - Suite 3400
 San Francisco, California 94111-4187
 Tel.: (415) 781-1989
 Fax: (415) 398-3249

☒ Attorney or agent of record☐ Filed under Section 1.34(a)

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

File No. A-66914-2/RFT/BTC/AMS

Serial No.: TO BE ASSIGNED
Applicant: ZARLING et al.
For: DOMAIN SPECIFIC GENE EVOLUTION

Please acknowledge receipt of the enclosed new CONTINUATION APPLICATION by imprinting the Patent Office "date stamp" hereon and returning to the addressee indicated on the reverse.

1. Continuation Application Transmittal
2. Specification: 43 pages, including 24 claims
3. Claims: 24
4. Drawings: 4 sheets (Informal)
5. Amendment re Sequence Listing
6. Sequence Listing - paper copy and computer readable disk copy
7. Petition for Extension of Time (3-MO) in the parent case (Serial No. 09/373,347)
8. Check for \$890.00 for the Extension of Time in the parent case (Serial No. 09/373,347)
9. Express Mail Certificate No. EL758643351US

j1046 U.S. PTO
09/886171



Date of Deposit: June 20, 2001

A handwritten signature or mark is located to the right of the 'Date of Deposit' line.